



PATENT  
ATTORNEY DOCKET NO.: 051481-5009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Craig WELDON

For: **DIAGNOTIC APPARATUS AND METHOD FOR AN EVAPORATIVE CONTROL  
SYSTEM INCLUDING AN INTEGRATED PRESSURE MANAGEMENT  
APPARATUS**

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:
  - 11 Pages of Specification including
  - 0 Title Page
  - 3 Pages of Claims
  - 1 Page of Abstract
  - 2 Sheets of drawings containing 2 Figures

☐ The enclosed drawing(s) are photograph(s), and there is also attached a  
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
3. Combined Declaration and Power of Attorney  
☒ Enclosed and is executed by all inventors.  
☐ Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time  
set for filing the Declaration and paying the filing fees.

## 4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

☒ An assignment will be filed at a later date.

## 6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

## 7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☐ Priority of the following provisional application(s) is claimed:

Application No.	Filed

## A. Relate Back - 35 U.S.C. §119(e)

- ☐ Amend the specification by inserting before the first line the sentence:  
 "This application claims priority of copending provisional application(s)  
 No. \_\_\_\_\_ filed on \_\_\_\_\_."

## 8. Small entity status

- ☐ A statement claiming small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.

## 9. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00
Total Claims (37 C.F.R. §1.16(c))	18 - 20 =	0	\$ 18.00 each=	\$0.00
Independent Claims (37 C.F.R. §1.16(b))	2 - 3 =	0	\$ 80.00 each=	\$0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$270.00	+
SUB-TOTAL =				\$710.00
Reduction by 1/2 for filing by a small entity				- \$
TOTAL FILING FEE =				\$710.00

## 10. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**  
 This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

- ☐ Enclosed.  
Two checks in the amounts of \$\_\_\_\_\_ and \$40.00 representing the basic filing fee of \$710.00 and an assignment recording fee of \$40.00 is/are enclosed.

11. ☒ Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

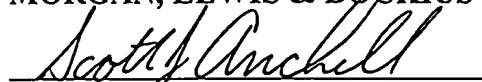
12. Additional papers enclosed:

- ☐ Preliminary Amendment  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_\_ documents included  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Scott J. Anchell

Reg. No. 35,035

Dated: 29 June 2001

Customer No. 009629  
MORGAN, LEWIS & BOCKIUS LLP  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/893,530	06/29/2001	Craig Weldon	051481-5009

CONFIRMATION NO. 3012

009629  
MORGAN, LEWIS & BOCKIUS  
1800 M STREET NW  
WASHINGTON, DC 20036-5869

## FORMALITIES LETTER



\*OC00000006453261\*

Date Mailed: 08/21/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

MAILED 11/15/01 09:00AM 09/03/01 09:00AM  
703-308-1202  
703-308-1202

Sector

Attorney Docket No.: 051481-5009



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Craig WELDON

Application No.: 09/893,530

Filed: June 29, 2001

For: DIAGNOSTIC APPARATUS AND  
METHOD FOR AN EVAPORATIVE  
CONTROL SYSTEM INCLUDING AN  
INTEGRATED PRESSURE  
MANAGEMENT APPARATUS

Examiner: Unassigned

Group Art Unit: 3753

Commissioner for Patents  
Washington, D.C. 20231  
**BOX MISSING PARTS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

This is a reply to the Notice to File Missing Parts of Non-provisional Application mailed 21 August 2001. A copy of this Notice is enclosed.


According to the Notice, the statutory basic filing fee was missing. However, the transmittal letter accompanying the new application filing on 29 June 2001 included a request to charge Deposit Account No. 50-0310 in the amounts of \$710.00 (basic filing fee at the time of the filing). Please see section 11, page 4, of the transmittal letter (copy enclosed).

Thus, it is respectfully submitted that the Notice was issued in error and that the Notice should be vacated.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

Date: 6 December 2001

by:   
Scott J. Anchell  
Reg. No. 35,035

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